



409475-40

DECLARATION AND PETITION

COPY OF PAPERS
ORIGINALLY FILED

#3

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD AND APPARATUS FOR IMPROVING BANDWIDTH EFFICIENCY IN A COMPUTER NETWORK**, the specification of which was filed with the U.S. Patent and Trademark Office on August 17, 2001, bearing Serial No. 09/932,431.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: **NONE**

PRIOR FOREIGN APPLICATION(S)

Priority claimed

Number	Country	Date Filed	Yes	No
			Priority claimed	
Number	Country	Date Filed	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/225,888

Application Serial No.

August 17, 2000

Filing Date

Application Serial No.

Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: NONE

Application Serial No.

Filing Date

Application Serial No.

Filing Date

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Correspondence should be addressed to:

Brian M. Berliner
O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, CA 90071-2899

Telephone (213) 430-6000

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration and petition.

Full name of sole inventor: Gary Stephen Shuster

Inventor's signature: 

Date: 2/21/2002

Residence: 4252 North Van Ness Blvd., Fresno, CA 93704

Citizenship: U.S.A.

Post Office Address: Same as above